

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

PETER STALLWORTH,

Defendant.

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**DECISION AND ORDER**  
16-CR-87-A

This case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1) for the conduct of pretrial proceedings. On April 27, 2020, defendant Peter Stallworth appeared upon consent before Magistrate Judge Schroeder, waived further indictment and entered a plea of guilty pursuant to a written Plea Agreement (Dkt. No. 179), to a one count Superseding Information (Dkt. No. 177) charging him with distribution, and possession with intent to distribute, of 5 grams or more of methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B).

Magistrate Judge Schroeder issued a Report and Recommendation (Dkt. No. 181) confirming his oral findings that defendant's plea of guilty complied with the requirements of Fed. R. Crim. P. 11. No timely objections to the Report and Recommendation have been filed. It is hereby

**ORDERED**, upon the pleadings and review of the transcript of the April 27, 2020, change-of-plea proceeding before the Magistrate Judge, and the Report and Recommendation, the Court finds that defendant Stallworth's plea of guilty to the

one-Count Superseding Information charging him with possession with intent to distribute, and distribution of, 5 grams or more of methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B) was knowing, voluntary, and has a factual basis. Defendant Stallworth's plea of guilty is accepted based upon these findings and the oral recommended findings of the Magistrate Judge as confirmed in the written Report and Recommendation. Dkt. No. 181. The parties are directed to the Court's forthcoming Text Order setting a date for sentencing and the submission of sentencing documents.

**IT IS SO ORDERED.**

*s/Richard J. Arcara*  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: May 18, 2020